

12 APR 2005

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In re Application of : DECISION ON RENEWED
BURKE, et al. :
Application No.: 10/517,717 :
Filing Date: 10 December 2004 : PETITION UNDER
Attorney Docket No.: 231461 :
For: SH2 DOMAIN BINDING INHIBITORS : 37 CFR 1.497(d)

This decision is in response to applicant's "Renewed Petition Under 37 C.F.R. § 1.497(d)" filed 17 March 2005 in the United States Patent and Trademark Office (USPTO).

BACKGROUND

On 17 February 2005, applicant was mailed a decision in the present application regarding the attempted deletion of inventor Johannes H. Voigt. Applicant was afforded two months to file any request for reconsideration.

On 17 March 2005, applicant filed the renewed petition considered herein.

DISCUSSION

Before an applicant can proceed under 37 CFR 1.48(b), the national stage application must first be executed by all the named inventors. The filing of a petition under 37 CFR 1.48(b) is not applicable prior to the application being executed by all the named inventors. Applicant's current submission of the combined declaration and power of attorney executed by all five of the named inventors completes the requirements for entry into the national stage under 35 U.S.C. 371; the 35 U.S.C. 371 date for the present application is 17 March 2005.

Applicant's completion of the 35 U.S.C. 371 requirements permits action on the previously filed petition to correct inventorship under 37 CFR 1.48(b). The petition under 37 CFR 1.48(b) will be handled by the appropriate technology center.

CONCLUSION

For the reasons discussed above, applicant's renewed petition under 37 CFR 1.497(d) is **DISMISSED as moot**.

This application is being returned to the United States Designated/Elected Office for processing in accordance with this decision. The 35 U.S.C. 371(c) date is **17 March 2005**.

After National stage processing is complete, with the mailing of a "Notification of Acceptance" (Form PCT/DO/EO/903), the application will be forwarded to the appropriate technology center for examination and resolution of applicant's request to delete inventor Johannes H. Voight pursuant to 37 CFR 1.48(b).



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